

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ORLANDO GARCIA,

Plaintiff,

v.

CHAN TONG, LLC,

Defendant.

Case No. 21-cv-05086-SK

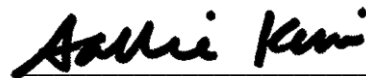
**CONDITIONAL DISMISSAL**

Regarding Docket No. 16

Plaintiff advises the Court that the parties have reached a settlement of this case and expect to file a dismissal with prejudice within sixty days. (Dkt. 16.) Both parties have consented to the jurisdiction of a magistrate judge pursuant to 28 U.S.C. § 636. (Dkts. 7, 14.) Therefore, **IT IS HEREBY ORDERED** that this cause of action is dismissed **without** prejudice; provided, however that if any party hereto shall certify to this Court, within sixty days, with proof of service thereof, that the agreed consideration for said settlement has not been delivered over, the foregoing order shall stand vacated and this cause shall forthwith be restored to the calendar to be set for trial. If no certification is filed, after passage of sixty days, the dismissal shall be **with** prejudice.

**IT IS SO ORDERED.**

Dated: October 27, 2021



SALLIE KIM  
United States Magistrate Judge